Single Bench

(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION No.:- 4644 **/ 2004.** **S.B.**

PETITIONER :- Naimul Haque Ansari, Age:- 45 Yrs, S/O Late Kamruddin Ansari,. Working in the Post of Circle Organiser,B.O. Udaipur, District Sarguja [C.G.]

P.R. No. 4644/04
Presented by Shri Naad Siddiqui
dated 30.11.04

-: V E R S U S :-

RESPONDENTS:-

1. **The State of Chhattisgarh Through ThePrincipal-Secretary, General Administration & Tribal Welfare D.K.S. Mantralaya Bhavan Raipur, Distt.- Raipur (C.G.)**

CERTIFIED COPY
30/11/04
Clerk to A.G. Bilaspur

2. **The Asstt. Commisioner, Tribal Welfare Ambikapur District Sarguja [C.G.]**

3. **The Chief Executive Officer,Janpad Panchayat, Udaipur, Dist- Sarguja { C.G.]**

4. **The Block Education Officer, Block Office , Udaipur , Distt. Sarguja [C.G.]**

शपथ आयुक्त
एस.के. शुक्ला
बिलासपुर (छ.ग.)
बिलासपुर तहसील छोड़

WRIT PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF DIRECTION(S) OR ORDER(S).

XI-HC-22

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 4644/ **सन्** 2004

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-4-2005 On a mention being made, the case is taken up for hearing. Mr. Azad Siddique, counsel for the petitioner. Mr. Akhil Agrawal, Panel Lawyer for the State/respondents. By this writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned the propriety of order dated 31st July, 2004, whereby he has been transferred from Primary School, Semighaghara, Udaipur to Primary School, Sanva-Ranva, Bhaiyathan. The case of the petitioner is that in the year 1986 he was appointed as Primary Teacher in Primary School, Pakani, District: Surajpur, and in the year 1995 vide order dated 6-9-1995 he was transferred to Primary School, Semi-Ghoghara, Udaipur. On account of the vacancy available, he was transferred as Circle Organizer at Udaipur, in the Office of Block Education Officer vide order dated 4-9-1996 by the Collector, Surguja. Thereafter, again, the petitioner was transferred to Semi-Ghoghara, Udaipur, and he is working as a Trained Circle Organizer, Block Office: Udaipur in the Tribal Welfare (Education), Ambikapur, since 1999, and he has been transferred vide the impugned order. The petitioner was discharging his duties with utmost honesty and devotion, but even then he has been transferred in the mid session, which is an illegal and arbitration action. The petitioner has been relieved ex-parte vide order dated 6-11-2004. I have heard learned counsel for the parties. Learned counsel for the petitioner submits that the petitioner's mother is old and there is nobody to look after her, therefore, the respondents ought to have considered the representation of the petitioner, but they are not considering the same, therefore, the petitioner may be allowed to make a	

XI-HC-22

(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.4644/ **सन्** 2004

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित – 2 –	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	representation to respondent No.2 to which learned Panel Lawyer for the State of Chhattisgarh has no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation to respondent No.2 within a period of ten days from today and in turn, respondent No.2 is directed to decide the same within another one month thereof in an objective manner after considering the grievances of the petitioner, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.4954/2004 and I.A.No.9257/2004 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	
Soma		

(पीछे देखिये)

13/4/05
19/5/05